

REMARKS/ARGUMENTS

Reconsideration of the application is requested.

Claims 1-8 remain in the application. Claims 1-8 have been amended.

In the section entitled "Claim Rejections - 35 USC § 102" on pages 2-3 of the above-mentioned Office action, claims 1-8 have been rejected as being anticipated by Hood et al. (US Pat. No. 5,975,081) under 35 U.S.C. § 102(b).

The rejection has been noted and claim 1 has been amended in an effort to even more clearly define the invention of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

the accommodation room being non-transportable and to be installed in a house, a private home, a hotel, a wellness/fitness center, or the like for a person to stay for a continuous and steady period of time.

The Examiner has stated in the section entitled "Response to Arguments" on pages 3-4 of the Office action that the limitations that the device of claim 1 of the instant application is non-transportable and is suitable for a person to live for a continuous/steady period of time are not recited in claim 1.

Accordingly, the language of claim 1 has been modified to emphasize that the accommodation room according to the invention of the instant application is non-transportable and is provided for a person to stay for a continuous and steady period of time.

The subject matter of the invention of the instant application relates to an accommodation room, which is, in contrast to Hood et al., not a transportable device, but rather a room installed in "a partitioned part of the inside of a building" (see definition 3a of the term "room" on page 1023 of Webster's Ninth New Collegiate Dictionary provided by the Examiner). This is particularly clear from the language that the accommodation room is to be installed in a house, a private home, a hotel, a wellness/fitness center, or the like. Therefore, a person skilled in the art cannot misunderstand that the subject matter of the invention of the instant application is a room to be installed in a part of a building,

which is of course non-transportable and which is provided for a person who wishes to stay for a long term as well as for a temporary time.

In contrast, Hood et al. disclose a transportable life-rescue-box, which is restricted to intensive care application to injured persons and is made ready for transport by an evacuation helicopter. A person skilled in the art would not use the transportable life-rescue-box of Hood et al. as a wellness accommodation room in a house, a private home, a hotel, a wellness/fitness center, or the like for a continuous and steady period of time. Rather, he or she might only "place" (not "install") the rescue-box of Hood et al. in a building for storage (such as by putting it in the garage when not used). In order to realize the objects of the invention of the instant application, a person skilled in the art would never look at a document that describes a transportable life-rescue-box.

The Examiner has taken the term placing the apparatus of Hood et al. in the desired room as "installing" the device of Hood et al. in that room (see the last sentence of the third paragraph on page 4 of the office action). Applicants respectfully disagree. Applicants would like to refer to the enclosed excerpt from Longman Dictionary of Contemporary

English, in which it is stated that "install" means to set up, to make something ready for use, and to settle firmly, and under "installation": an apparatus in a fixed state ready for use. The expression "to be installed" is, therefore, totally different from the expression "to be placed," which latter term is used in the sense of moving an object in order to put it somewhere.

Clearly, Hood et al. do not show "the accommodation room being non-transportable and to be installed in a house, a private home, a hotel, a wellness/fitness center, or the like for a person to stay for a continuous and steady period of time," as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-8 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

Applic. No.: 10/629,923
Amdt. Dated September 30, 2005
Reply to Office action of June 3, 2005

Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$60.00 for a small entity in accordance with Section 1.17 is enclosed herewith.

Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Respectfully submitted,

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For Applicants

YC

September 30, 2005

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Longman Dictionary of Contemporary English

New Edition

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In-sist /in'sist/ *v* [I (oh, upon); T+(that); obj] 1 to declare firmly; esp. in the face of doubt or opposition: *He insisted on his innocence/on the truth of his story, even though the police refused to believe him.* | *He still insists he wasn't there at the time.* 2 to order or demand (that something must happen or be done): *They are insisting on immediate repayment.* | *I insisted that he (should) go.* | *You must come with us—I insist!* | *All right, I'll do it.* If you insist. (= I don't really want to)

insist on/upon sthg. phr v [T] to consider very important; place great importance on: *He insists on discipline in the classroom.* | [+v-ing] *I insist on having a holiday abroad every year.*

In-sis-tence /in'sistəns/ *n* [U] 1 the act of insisting: *At the director's insistence (= because the director insisted) the new product was kept secret.* | *the government's insistence on a price freeze.* 2 also **insistency** /in'sistəns/—the quality or state of being insistent—compare PERSISTENT

In-sis-tent /in'sistant/ *adj* 1 [(on, upon)] repeatedly insisting: *The company is insistent on immediate payment.* | F+ (that) *He's very insistent that he'll finish in time.* 2 needing to be done, answered, or dealt with; urgent: *insistent demands* | *the baby's insistent screams* —~ly adv

In-sit-tu- /in'sitjū:/, m 'sātjū:/ *adv Lat in its original place*

In-so-far /in'sō'fär/ *adv* see in so far as (FAR¹)

In-sole /in'soul/ *n* a piece of material inside a shoe or boot, shaped to fit the bottom of the foot

In-so-lent /in'solənt/ *adj* showing disrespectful rudeness: *insolent children* | *insolent behaviour* —~ly adv

In-sol-u-ble /in'sol'yəబəl/ [in'sə:l-] *adj* 1 to which no answer or explanation is/seems possible: *an insoluble problem.* 2 which cannot be dissolved (nissolve (1, 2)): *insoluble in water*—compare INDISSOLUBLE

In-sol-va-ble /in'solvəబəl/[in'sə:l-] *adj* esp. AmE for insoluble (1)

In-sol-vent /in'solvənt/[in'sə:l-, in'sə:l-] *n, adj* tech (a person) not having enough money to pay debts: *an insolvent estate.* | *The bank was declared insolvent.* —compare BANKRUPT —~vency n [U]

In-som-nia /in'somniə/[in'sə:m-] *n* [U] habitual inability to sleep

In-som-ni-ac /in'somniæk/[in'sə:m-] *adj, n* (of or being) a person who habitually cannot sleep, or can sleep only for a short period of the night

In-so-much /,mso'ಮatʃ/ *adv* insomuch as to the degree that; (as) much as (INASMUCH)

In-sou-ci-ance /in'suisəns/ *n* [U] AmE a cheerful lack of care or worry —~ant adj

In-spect /in'spekt/ *v* [T] 1 to examine (something) closely or in detail; esp. in order to judge quality or correctness: *After they had finished building the wall the foreman inspected it to make sure they'd done it properly.* | *Let's go and inspect the damage.* | *Nobody inspected my ticket before I got on the train.* 2 to make an official visit to judge the quality of (an organization, machine, etc.): *The sergeant-major inspects the barracks every day.*

In-spec-tion /in'speks̄n/ *n* [C; U] (an act of) inspecting: *I gave the car a thorough inspection before buying it.* | *He thought it was a moth, but on closer inspection it turned out to be a butterfly.* | *an official inspection/a tour of inspection*

In-spect-or /in'spektər/ *n* 1 an official who inspects something: *A ticket inspector got on the train.* | *a tax inspector* 2 a police officer of middle rank —~ate n

In-spi-ra-tion /in'spi'rejən/ *n* 1 [U] the act of inspiring or state of being inspired: by divine inspiration 2 [C; U (for)] something or someone which gives a person the urge or the ability to do something, esp. to produce works of the imagination: *These events provided the inspiration for her first novel.* | *She was an inspiration to all who knew her.* | *His journey to South America was a source of fresh ideas and inspiration.* 3 [C] a sudden good idea: to have an inspiration —~al adj

In-spire /in'spirə/ *v* [T] 1 [(to)] to encourage in (someone) the desire and ability to take effective action, by filling with eagerness, confidence, etc.: *He tried to inspire them to greater efforts.* | [+obj+to-v] *I was inspired to work harder by her example.* 2 to be the force which produces (usu. a good result): *The memory of his mother inspired his best music.* 3 to fill (someone) with (a feeling) by means of one's behaviour or example: [+obj+in] *His driving hardly inspires confidence in his passengers.* | [+obj+with] *His driving inspires his passengers with confidence.* —see also AWAKENING

In-spir-ed /in'spaɪəd/-erd/ *adj* so clever or good as to seem to show inspiration, esp. from God: *an inspired guess/performance*

In-spir-ing /in'spaɪəŋ/ *adj* that gives one the urge or ability to do great things; providing inspiration: *inspiring music/leadership*

Inst /inst/ *Bre fml*, becoming rare (used after a date in business letters) of this month: *The meeting will be held on the 24th inst.*

In-sta-bil-i-ty /,instə'bili:ti/ *n* [U] lack of STABILITY; unsteadiness, e.g. in a situation or a person's character, producing a tendency to change suddenly: *He's showing signs of instability—he could be heading for a nervous breakdown.* | *political instability in this region*

In-stall | also **instal** AmE /in'stɔ:l/ *v* [T (in)] 1 to set (an apparatus) up, ready for use: *We're having central heating installed.* 2 [+obj+adv prep] *in/fml* to settle firmly: *Once she's installed herself in front of the fire for the evening you won't get her to move.* 3 to settle (someone) in an official position, esp. with ceremony: *The new bishop has been installed.*

In-stal-la-tion /,instə'lejən/ *n* 1 [U] the act of installing or state of being installed: *The installation of the shower only took a few minutes.* | *the installation of a computer in the accounts department* 2 [C] an apparatus in a fixed state, ready for use: *new central-heating installations* 3 [C] a military or naval base or fort: *American nuclear installations in Europe*

Instalment plan /'ɪstə'ment plæn/ *n* [(the) U] AmE for HIRE PURCHASE

In-stal-ment | also **stall**: AmE /in'stɔ:l'mənt/ *n* 1 [C] a single part of a book, play, or television show which appears in regular parts until the story is completed: *a play in six instalments* 2 [C] a single payment of a set which, in time, will complete full payment of a debt: *to pay the last instalment of a loan.* 3 [U] INSTALLATION (1)

In-stan-ce /'ɪnstəns/ *n* [(of)] 1 a single fact, event, etc., expressing a general idea; example; case: *There have been several instances of terrorists planting bombs in the city.* | *I usually support people who take such actions, but in this instance I have to condemn them.* 2 at someone's instance *fml* because of someone's wish 3 for instance for example: *You can't rely on her: for instance, she arrived an hour late for an important meeting yesterday.* —see also in the first instance (FIRST)

Instance² *v* [T] often *fml* to give as an example: *As one example of what I mean about youth today, let me instance the growing rate of vandalism.*

Instant¹ /'ɪnstan:t/ *n* 1 [usu. sing.] a moment of time: *I'll be back in an instant.* | Not for an instant (=not at all) did I believe he had lied. 2 (at) the instant as soon as: *(At) the instant I saw him I knew he was the man the police were looking for.*

Instant² *adj* 1 happening or produced at once: *I took an instant dislike to him.* | *At the turn of a tap you get instant hot water.* | *an instant success* 2 (of food) which can be very quickly prepared for use: *instant coffee/mashed potato* (=coffee/potato in powder form that needs only the addition of boiling water) —see also INSTANTLY

In stan-ta-neous /,instə'neməs/ *adj* happening at once: *She accidentally swallowed the poison and death was instantaneous.* | *an instantaneous reaction* —~ly adv —~ness n [U]

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